

REMARKS

Claims 1-17 are pending in this application after this amendment. Claims 1, 3 and 9 are independent. New claims 13-17 are presented for consideration by the Examiner. Based upon the amendments and remarks included herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-4 and 7-9 under 35 U.S.C. §103(a) as being unpatentable over *Kiyokawa* (USP 6,204,877) in view of *Katsuhiro* (JP 04098996); rejected claims 6, 10, and 12 under 35 U.S.C. §103(a) as being unpatentable over *Kiyokawa* in view of *Katsuhrio* and further in view of *Yokota et al.* (USP 5,847,662); rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over *Kiyokawa* in view of *Katsuhiro* and further in view of *Yoshizawa et al.* (USP 4,802,201); and rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over *Kiyokawa* in view of *Katsuhiro*, *Yokota et al.*, and further in view of *Anderson* (USP 6,233,016). Applicant respectfully traverses these rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application. Exemplary support for these claim amendments may be located at least on page 6 of the specification.

Claim Rejections - 35 U.S.C. § 103

In support of the Examiner's rejection of claim 1, the Examiner asserts that *Kiyokawa* discloses all of the elements set forth in the claim except one. Specifically, the Examiner asserts that *Kiyokawa* discloses camera on slave side transmitting an image to the master side (S51, Fig. 8). At S42, the system controller 20 checks whether the trigger switch 45 is depressed (instruction to capture an image) and if the trigger switch is depressed, a transmission stop command to the slave side to stop the image transmission is generated (col. 9, lines 25-39). This is performed so that the master side does not loose a shutter chance and a photographing operation is preferentially performed (col. 9, lines 47-54).

The Examiner admits that *Kiyokawa* fails to teach or suggest an oscillation section that stops the pausing of the carrier frequency when the image is being recorded. (Applicant respectfully submits that claim 1 does not recite this feature. Instead, claim 1 recites "wherein said controller causes said carrier generating section to pause the generation of the carrier when the information recorded receives an instruction to capture an image...") The Examiner further appears to admit that *Kiyokawa* fails to teach or suggest wireless transmission. The Examiner relies on the teachings of *Katsuhiko* to cure the deficiencies of the teachings of *Kiyokawa*. Specifically, the Examiner asserts that *Katsuhiko* teaches stopping the output of a clock signal for an oscillation circuit when there is no change in an input signal to an external device or a transmission line and starting the output of the clock signal when there is any change in order to reduce the power consumption due to a dark current (Abstract). The Examiner further asserts that

a wireless device is inherently taught when transmission via a carrier frequency is done. We disagree that this rejection amounts to a *prima facie* case of obviousness.

Kiyokawa discloses an electronic image pickup system for transmitting image data and performing a remote-controlling operation. In Fig. 8, the slave side transmits image data to the master side. If the master side's trigger switch is turned on, a transmission stop command is transmitted to the slave side. Transmission of data at the slave side is stopped, the image data is stored, and then transmitted to the master side. The master side receives the image data when the trigger switch is turned off (Fig. 8, col. 9, lines 18-54).

Applicant respectfully disagrees that these teachings are sufficient to teach or suggest the information recording device of claim 1. Claim 1, as amended, recites an information recording device comprising a recorder, which can record at least either image or audio information; a communication device for transmitting information to external equipment, and a controller. However, the image is being recorded at the master side while it is the slave side that is transmitting the image data. As such, it appears that the Examiner is combining the elements from the master side and the slave side in order to teach elements of the one information recording device of the present application.

In addition, the Examiner relies on *Katsuhiko* to cure the deficiencies of the teachings of *Kiyokawa*. Upon our review of the abstract, it appears that the Examiner has cited non-analogous art to combine with *Kiyokawa*. The Abstract refers to a signal for a tail lamp and for driving a door lock solenoid. Applicant maintains that this art amounts to non-analogous art and further,

Applicant maintains that one skilled in the art would not look to the teachings of *Katsuhiro* to modify the teachings of *Kiyokawa*.

In addition, the Examiner asserts that a wireless device is inherently taught. However, Applicant maintains that *Katsuhiro* does not inherently teach a wireless communication device as claimed. It does not necessarily flow from the Abstract of the reference that information is transmitted wirelessly.

The Examiner has further failed to provide any motivation for combining the purported wireless communication teachings with the teachings of *Kiyokawa*.

For all of the reasons set forth above, Applicant respectfully submits that claim 1 is patentable over the references as cited.

By this amendment, Applicant has added new claim 15 reciting wherein the controller pauses only a carrier oscillation section of the carrier generating section while a clock oscillator of the carrier generating section is active. Applicant respectfully submits that neither of these references teach or suggest this claim element.

By this amendment, Applicant has added new claim 14, reciting wherein a carrier oscillation section of the carrier generating section generates a carrier based on a transmission frequency signal generated by a clock oscillator. Applicant respectfully submits that neither *Katsuhiro* nor *Kiyokawa* teach or suggest this claim element.

By this amendment, Applicant has added new claim 17, reciting wherein the controller pauses said carrier oscillation section to reduce high frequency noise due to a high frequency carrier. *Kiyokawa* fails to teach or suggest this claim element. there is no need to reduce high frequency noise as the telephone frequency band is 10KHz, whereas exemplary high frequency noise of the system of the present invention may be 1GH or more.

It is respectfully submitted that claim 2 is allowable for the reasons set forth above with regard to claim 1 at least based upon its dependency on claim 1. It is respectfully submitted that claims 3 and 9 include elements similar to those discussed above with regard to claim 1 and thus claims 3 and 9, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

Conclusion

If the Examiner has any questions concerning this application, the Examiner is requested to contact Catherine M. Voisinet, Reg. No. 52,327 at the telephone number of (703) 205-8000. Facsimile communications may be sent to facsimile number (703) 205-8050.

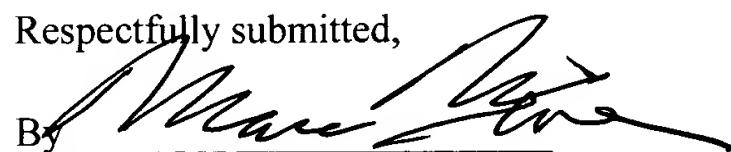
Application No. 09/678,333
Amendment dated February 27, 2006
Office Action Dated November 29, 2005

Docket No.: 0879-0281P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: February 27, 2006

Respectfully submitted,

By 

Marc S. Weiner
Registration No.: 32,181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant